GPN-J.332-ARCHB-8.94-1310500-ALA4 Spl-H.C.A.S.C.D.79e

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 3103 OF 1998

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.)

Court's or Judge's orders

Mr. S.P. Saxena for Petitioner.

Mrs. S.S. Bhende, A.G.P. for Respondent Nos. 1 to 3.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 15, 2005

P.C.

. The Petitioner had sought reliefs in the matter of age of retirement. The Petitioner was working as Assistant Lecturer at Government Polytechnic. The Division Bench of this court in similar issue in Writ Petition NO. 788 of 1980 on 27.4.1989 had quashed the para of Government resolution prescribing the age of superannuation in the Government colleges and institute of science as 58 years. The State of Maharashtra took the matter in appeal before the Apex Court being C.A. No. 10994 of 1996 between

State of Maharashtra and Ors. Vs. Association of Maharashtra and Ors. By the order of 29.8.2001 the appeal filed by the State of Maharashtra was allowed and the order of Division Bench was set aside. In other words the G.R. would continue to apply to the Government teachers and consequently the age of retirement will be 58 years.

. Considering that only issue raised no longer survives, nothing further survives in this petition. Rule discharged, No order as to costs.

(F.I.REBELLO,J.)

(S.P.KUKDAY,J.)